

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Cody Wenzel

v.

Civil No. 11-cv-00327-JL

Great Lakes Hydro America, LLC

ORDER AFTER PRELIMINARY
PRETRIAL CONFERENCE

The Preliminary Pretrial Conference was held in chambers on **December 1, 2011.**

1. Plaintiff will file his amended complaint on or before **December 9, 2011.** Responsive pleadings will be filed in accordance with the Federal Rules of Civil Procedure.

2. Within 10 days of the filing of the answer to Third Party Complaint, the parties will file a stipulated schedule and discovery plan that:

- includes a summary judgment deadline 120 days before the final pretrial conference; and
- all discovery (fact and expert) completed before the summary judgment deadline.

3. Great Lakes will produce its file (all documents regarding, referring or relating to) on the investigation referred to in ¶9 of the Third-Party Complaint, and an

accompanying privilege log, if necessary, within 45 days of this order.

Summary Judgment. The parties and counsel are advised that compliance with Rule 56(e) and Local Rule 7.2(b), regarding evidentiary support for factual assertions, and specification and delineation of material issues of disputed fact, will be required.

Discovery disputes. Discovery disputes will be handled by the undersigned judge, as opposed to the Magistrate Judge, in the normal course. No motion to compel is necessary. The party or counsel seeking discovery-related relief should confer with adverse counsel to choose mutually available dates, and then contact the Deputy Clerk to schedule a conference call with the court. The court will inform counsel and parties what written materials, if any, should be submitted in advance of the conference call.

Customary motions to compel discovery, while disfavored by the undersigned judge, are nonetheless permissible. If counsel prefer traditional discovery litigation to the conference call procedure set forth above, any such motion to compel should expressly request, in the title of the motion, a referral to the United States Magistrate Judge. Such referral requests will

normally be granted. If the Magistrate Judge is recused, alternate arrangements will be made.

SO ORDERED.

A handwritten signature in black ink, reading "Joe Laplante", written over a horizontal line.

Joseph N. Laplante
United States District Judge

Dated: December 2, 2011

cc: Christopher E. Grant, Esq.
Gregory A. Moffett, Esq.
Michael Brendan Doherty, Esq.
Dona Feeney, Esq.
Jack P. Crisp, Jr., Esq.